

Division 3. Air Resources Board

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Chapter 13. Voluntary Accelerated Vehicle Retirement Enterprises

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Article 1. Voluntary Accelerated Light-Duty Vehicle Retirement Enterprises

**§ 2603. Vehicle Eligibility.**

(a) To be eligible for generation of emission reduction credits through a VAVR enterprise, a vehicle shall meet the following criteria:

(1) It shall be voluntarily sold to the enterprise operator for a price mutually agreed between the vehicle seller and the enterprise operator;

(2) It shall be currently registered with the Department of Motor Vehicles as an operable vehicle, and shall have been so registered for twenty-four (24) consecutive months immediately prior to the final date of sale to the VAVR enterprise, to an address or addresses within the district in which the enterprise is being operated.

(A) A vehicle may also be eligible if the owner of the vehicle placed the vehicle in planned nonoperational status per Vehicle Code §4604, et seq., for a total of two (2) months during the continuous twenty-four (24) month registration period, occurring at least three (3) months prior to the date of sale to the VAVR enterprise. Smog Checks must be performed as required by the Department of Motor Vehicles in order for the vehicle to be considered registered;

(B) A vehicle may also be eligible if the registration has lapsed for a period not to exceed 180 days during the previous twenty-four (24) months and all appropriate registration fees and late penalties have been paid to the Department of Motor Vehicles, provided that the vehicle is registered for at least ninety (90) days immediately prior to its date of sale to a VAVR enterprise. A Smog Check inspection must be performed as required by the Department of Motor Vehicles in order for the vehicle to be considered registered;

(C) If a vehicle owner has sold a vehicle to an enterprise operator within the previous twelve (12) months, any subsequent vehicles offered to the same enterprise operator must have been registered continuously to that owner for the previous twenty-four (24) month period, in addition to meeting all other requirements of this section;

(D) Determination of an individual vehicle's registration history shall be based on:

1. registration data for that vehicle obtained from Department of Motor Vehicles records;

2. If (A) provides inconclusive results for an individual vehicle, then copies of the applicable vehicle registration certificates or planned nonoperation status certificates covering the necessary time period may be used;

(3) It shall be a passenger car or a light-duty truck;

(4) It shall be driven to the purchase site under its own power;

(5) It shall not be a high emitter or a gross polluter, and shall not be operating under a Smog Check repair cost waiver or economic hardship extension;

(6) If a vehicle volunteered for retirement is within sixty (60) days of its next required Smog Check inspection, the following criteria must be met:

(A) The vehicle shall pass the Smog Check inspection without receiving a repair cost waiver or economic hardship extension prior to acceptance by a VAVR enterprise operator;

(B) Owners of vehicles requiring Smog Check inspections pursuant to §2603(a)(6) shall be required to submit documentation issued by a licensed Smog Check station demonstrating compliance with §2603(a)(6)(A). The documentation shall be submitted to the person performing the functional and equipment eligibility inspection pursuant to §2603(b).

(b) Each vehicle shall pass a functional and equipment eligibility inspection performed by the VAVR enterprise operator or other ARB-approved inspector (inspector), conducted on-site at the VAVR enterprise location. The following elements shall be included in the inspection:

(1) The candidate vehicle must have been driven to the inspection site under its own power. If an inspector has knowledge that a vehicle was towed or pushed for any portion of the trip to the inspection site, then the inspector shall not approve the vehicle for eligibility in a VAVR program;

(2) The inspector shall inspect the vehicle to ensure it meets the following requirements and shall reject the vehicle for emission reduction credit generation if the vehicle fails any of these requirements;

(A) All doors shall be present and at a minimum the driver's side door shall be operable in a two door vehicle. For a four door vehicle, the driver's side door and one rear door shall be operable. Doors shall be deemed operable if they can open and remain closed without the use of ropes, wire, or tape, or any other add-on device or material that was not part of the original design of the vehicle;

(B) The trunk lid shall remain closed without the use of ropes, wire, or tape, or any other add-on device or material that was not part of original design of the vehicle;

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(C) The hood (metal cover providing access to the engine) shall open and shall remain closed utilizing a functional latching mechanism without the use of bungee cords, strapping, ropes, wire, or chains, or any other external device or material that was not part of the original design of the vehicle;

(D) The dashboard shall contain warning lights and gauges (except clock and/or tachometer) as originally supplied by manufacturer, or functionally equivalent aftermarket replacements;

(E) Windshield wipers shall be present and operational;

(F) The windshield and rear window shall not contain any holes, or holes that are covered by tape or any other external component, or any other defective condition that impairs the driver's vision. In addition, the windshield and rear window shall not be held in place by external components that were not part of the original design of the vehicle;

(G) The driver's seat must be present and the seat back shall not be reinforced or supported by add-on components such as blocks, tires, boards, or ropes in order to be functional;

(H) Interior pedals (flat surface attached to a lever(s) controlling the brake, clutch, and accelerators) shall be present;

(I) The vehicle shall contain bumpers, fenders, exhaust system, and side and quarter panels as originally supplied by the manufacturer or aftermarket part equivalent; these components shall not be damaged to the extent that the operability of the vehicle is impaired.

(J) The vehicle shall not contain any holes in the floorboard or any holes penetrating through the body into the passenger compartment. A hole originally designed into the floorboard by the vehicle manufacturer for drainage shall be exempt from this requirement.

(K) Headlights as well as tail and brake lights shall be present and operational. Burned out light bulbs shall not result in a failure of this requirement provided that the operability of the above lighting systems can be verified.

(L) Driver's side and opposing side window shall be present, and not supported by any add-on component that was not part of the original design of the vehicle. Other side windows or functional replacements shall be present.;

(M) The requirements of §2603(a)(5) and §2603(a)(6) regarding Smog Check status have been met;

(N) There should be no obvious indications that the vehicle is not operated on a routine basis for extended periods of time;

(3) The inspector shall inspect the vehicle to ensure it meets the following requirements and shall reject the vehicle for emission reduction credit generation if the vehicle fails any two of these requirements;

(A) Turn signal lights shall be present and operational. Burned out light bulbs shall not result in a failure of this requirement provided that the operability of the above lighting system can be verified;

(B) Driver's side window and opposing side passenger window shall be operational. Operability shall be determined by the inspector raising and lowering the windows using the window handle, crank, or power window switch located inside of vehicle. Inability of windows to be raised and lowered shall result in noncompliance with this requirement;

(C) Rear-view mirror and left-hand side-view mirror shall be present and operational;

(D) The vehicle shall contain interior door panels as originally supplied by the vehicle manufacturer or aftermarket equivalent. Interior door panels shall be attached to the door without the use of any external device or material not designed for the vehicle;

(E) The vehicle body shall not contain any holes that exceed two inches in length at the widest point;

(4) The inspector shall complete the following functional inspection, and shall reject the vehicle for credit generation if the vehicle fails to complete any one of the requirements. Prior to implementing the functional inspection, the vehicle engine shall be turned off;

(A) Insert key, vehicle engine shall start using keyed ignition system. In addition to the keyed ignition switch, ignition or fuel kill switch may be activated if required to start engine;

(B) Vehicle shall idle without the use of accelerator pedal for a minimum of ten seconds;

(C) Transmission shall be shifted into forward gear with brake pedal applied. Vehicle engine shall remain operating without use of accelerator pedal for a minimum of ten seconds. Vehicles equipped with manual transmissions shall be exempt from this requirement.

(D) The vehicle shall be driven forward and in reverse for a minimum of 25 feet under its own power;

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(E) Under its own power, the vehicle shall be driven forward for a minimum of 100 feet starting at 0 miles per hour, and the vehicle shall completely stop at the end of this test using the vehicle's braking system. In dry weather conditions, the vehicle shall travel the first 60 feet of this test within 5.5 seconds. In wet weather conditions, the vehicle shall travel the first 60 feet of this test within 8.5 seconds. After 100 feet have been traveled, the vehicle shall turn around and return to its point of origin;

(5) The inspector shall reject the vehicle for emission reduction credit generation if any of the following occurs during implementation of the functional tests specified in §2603(b)(2), §2603(b)(3), and §2603(b)(4);

(A) Engine shuts down subsequent to keyed ignition start;

(B) Emissions of whining, grinding, clanking, squealing, or knocking noises, or noises from engine backfire;

(C) The brake pedal drops to the floor when the inspector attempts to stop the vehicle.

(6) Upon satisfactory completion of the inspection, the inspector will issue a certificate of functional and equipment eligibility;

(A) A master copy of the certificate of functional and equipment eligibility is included in the document "Voluntary Accelerated Vehicle Retirement Certificate of Functional and Equipment Eligibility Inspection Form", as specified in Appendix A to this Article 1;

(7) Vehicles failing the requirements pursuant to §2603(b)(1), §2603(b)(4), and §2603(b)(5) may be retested by the inspector for compliance with these requirements and issued a certificate of functional and equipment eligibility provided the vehicle has traveled a minimum of 50 miles subsequent to the failure determination. Vehicles with inoperable vehicle odometers must be fixed prior to conducting this test. Vehicles failing the requirements pursuant to §2603(b)(2) and §2603(b)(3) may be retested by the inspector for compliance with these requirements and issued a certificate of functional and equipment eligibility at any time after modifications have been made to the vehicle;

(c) Districts may adopt vehicle functional and equipment eligibility inspection requirements that are more stringent than those specified in §2603(b). In doing so, districts may not omit or weaken any of the required functional or equipment tests; they may only add additional tests or adopt a more stringent version of a specified test.

NOTE: Authority cited: Sections 39600, 39601, 44101 and 44102, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44102, 44103 and 44107, Health and Safety Code.

**REFERENCE**